

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Andris Wright,

Petitioner,

v.

FedEx Ground Package System, Inc.,

Defendant.

C/A No.: 0:22-cv-2836-SAL

ORDER

This matter is before the court for review of the October 27, 2023, Report and Recommendation of United States Magistrate Judge Shiva V. Hodges, made in accordance with 28 U.S.C. § 636(b)(1)(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). [ECF No. 37]. In the Report, the Magistrate Judge recommends the court grant defendant FedEx Ground Package System, Inc.'s motion for summary judgment, ECF No. 22, and deny plaintiff Andris Wright's request for leave to amend his complaint. [See ECF No. 34 at 8]. Attached to the Report was a notice advising Wright of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. *Id.* at 21. Wright has not filed objections, and the time for doing so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the

Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

Having thoroughly reviewed the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 37, and incorporates the Report by reference herein. The court thus **DENIES** Wright’s request to amend his complaint, **GRANTS** FedEx’s motion for summary judgment, ECF No. 22, and **DISMISSES** this action.

IT IS SO ORDERED.

January 9, 2024
Columbia, South Carolina



Sherri A. Lydon
United States District Judge